

### **REMARKS/ARGUMENTS**

In the Office Action mailed November 8, 2005, the restriction requirement was made final and claims 33-37 were withdrawn from consideration. In addition, claims 1-7 and 17-23 were allowed<sup>1</sup> and prosecution on the merits was closed in accordance with the practice under *Ex parte Quayle*. By this amendment, withdrawn claims 8-16 and 24-39 have been canceled without prejudice or disclaimer. As such, only allowed claims 1-7 and 17-23 remain pending in the application.

Applicants have thoroughly reviewed the outstanding Office Action, including the Examiner's remarks and references cited therein. The following remarks and amendments are believed to be fully responsive to the Office Action.

### **ELECTION/RESTRICTIONS**

In the Office Action, restriction to one of the following inventions is required under 35 U.S.C. § 121:

- I. Claims 1-7, 17-23 drawn to a dock leveler having a movable camming surface, classified in class 14, subclass 69.5.
- II. Claims 33-37, drawn to a method of operating to dock leveler having a cam wheel movable mounted within a support leg, classified in class 14, subclass 72.5.

Having previously traversed the restriction requirement in a telephone conversation with the Examiner, Applicants hereby elect Group I, claims 1-7 and 17-23.

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<sup>1</sup> The summary sheet and the text of the Office Action state that claims 1-7 and 17-24 have been allowed, but since claim 24 was previously withdrawn in the nonfinal Office Action mailed May 25, 2005 following the first restriction requirement mailed February 14, 2005, Applicants presume the inclusion of claim 24 here to be an inadvertent error.

### ALLOWABLE SUBJECT MATTER

Applicants would like to thank the Examiner for indicating that claims 1-7 and 17-23 have been allowed. In order to place the application in condition for allowance, previously withdrawn claims 8-16 and 24-39 have been cancelled. Thus, the only remaining claims pending in the application are allowed claims 1-7 and 17-23. Accordingly, Applicants respectfully request allowance of the entire application, including all pending claims.

### CONCLUSION

In view of the foregoing remarks, Applicants respectfully request that the objection to the claims be removed and that the application pass to allowance. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1567 in an effort to resolve any matter still outstanding before issuing another action. The undersigned Attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036.

Respectfully submitted,

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